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8 Attorneys for Defendant  
HONEYWELL INTERNATIONAL INC.

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

13 DEBORAH GETZ, et al.,

14 Plaintiffs,

15 v.

16 THE BOEING COMPANY, et al.,

17 Defendants.

Case No. CV 07-06396 CW

**[PROPOSED] ORDER GRANTING  
MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT**

Date: June 19, 2008  
Time: 2:00 p.m.  
Courtroom: 2  
Judge: Hon. Claudia Wilken

1 The motion of Honeywell International Inc. ("Honeywell") to transfer this action to the  
2 District of Arizona pursuant to 28 U.S.C. 1404(a), came on for hearing in this Court on June 19,  
3 2008.

4 Based on the supporting and opposing memoranda and other related documents filed with  
5 the Court in connection with this motion, the papers and records on file in this action, the facts set  
6 forth in and exhibits attached to the Declarations of Joanna E. Herman, and the Declaration of  
7 Marlin J. Kruse, Honeywell's Motion to Dismiss Plaintiffs' Complaint Pursuant to Federal Rule  
8 of Civil Procedure Rule 12(b)(1) is GRANTED.

9 **IT IS SO ORDERED**

10  
11  
12 Dated: \_\_\_\_\_, 2008

By: \_\_\_\_\_  
Honorable Claudia Wilken

**CERTIFICATE OF SERVICE**

I, James W. Huston, hereby certify that on April 29, 2008, I caused to be electronically filed a true and correct copy of the attached **[PROPOSED] ORDER GRANTING MOTION TO DISMISS PLAINTIFFS' COMPLAINT** with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record for Plaintiffs:

Ronald A. McIntire, Esq. Chung H. Han, Esq. PERKINS COIE LLP 1620 26 <sup>th</sup> Street, Sixth Floor, South Tower Santa Monica, CA 90404-4013	Telephone: 310.788.9900 Facsimile: 310.788.3399 <i><b>Attorneys for Defendant The Boeing Company</b></i>
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I also served the following party by overnight mail [Fed. Rule Civ. Proc. rule 5(b)] by placing a true copy thereof enclosed in a sealed envelope with delivery fees provided for, addressed as follows, for collection by UPS, at 12531 High Bluff Drive, Suite 100, San Diego, California, 92130-2040 in accordance with Morrison & Foerster LLP's ordinary business practices.

I am readily familiar with Morrison & Foerster LLP's practice for collection and processing of correspondence for overnight delivery and know that in the ordinary course of Morrison & Foerster LLP's business practice the document(s) described above will be deposited in a box or other facility regularly maintained by UPS or delivered to an authorized courier or driver authorized by UPS to receive documents on the same date that it (they) is are placed at Morrison & Foerster LLP for collection.

1 2 3 4	Steve Bell, Esq. Beth M. Strosky, Esq. PERKINS COIE LLP 1201 Third Avenue, Suite 4800 Seattle, WA 98101	Telephone: 206.359.8000 Facsimile: 206.359.9000 <i>Attorneys for Defendant The Boeing Company</i>
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11 Executed at San Diego, California, on this 29<sup>th</sup> day of April, 2008.

12 MORRISON & FOERSTER LLP

13 By: /s/ James W. Huston

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